

TOWN OF CHATHAM
488 state Route 295
Chatham, New York 12037

TOWN BOARD MEETING MINUTES

July 15, 2021 @ 6:30PM

*****IN PERSON*****

At The Crellin Park New Pavilion

PRESENT

Supervisor Donal Collins, Councilmembers Vance Pitkin, Abi Mesick, John Wapner, Kevin Weldon
Town Clerk Beth Anne Rippel, Highway Superintendent Jeff Antalek, Town Attorney Tal Rappleyea

Supervisor Collins called the meeting to order and led the pledge to the flag.

PUBLIC COMMENT

Judi Matthews thanked Jeff Antalek and the highway crew for the work they've done on Hunt Club Rd.

Destiny Hallenbeck asked what the Board plans to do about holding future town board meetings. She would like to see a virtual component to meetings given that there are people who are apprehensive about attending meetings in person. Collins stated that the greatest source of internet is at the Town Hall and there is no internet here at the Park, he's tried and has data drop at the pavilion. The last thing he wants to do is have people cut off and have repercussions from that. Later in the meeting we can discuss if the public is comfortable meeting in a confined space or if this space is more comfortable for the majority and attempt again to make it a viable option for holding reliable virtual meetings from the Park. Hybrid meetings are a benefit, you definitely get a lot more participation.

Carol Moore has not been able to attend meetings for some time now and counts on minutes to keep her informed. Minutes are not being posted to the website in a timely manner. Rippel stated that although minutes may not be posted to the website they are still made available upon request. Video of town board meetings is also available and posted on the website as Collins suggested.

CORRESPONDENCE:

- | | | |
|----|------------------|---|
| 1. | Mike Tucker/CEDC | Re: Broadband Study |
| 2. | Joseph Kusnick | Re: Deforestation |
| 3. | John Fanning | Re: Bunker Hill/Speeding |
| 4. | Rebecca Bellard | Re: Special Franchise Full Values or Assessments from NYS ORPTS |
| 5. | Mindy Potts | Re: Thank you- Disc Golf Blue Room |
| 6. | Jim Johnson | Re: Rug Traffic Hazard |
| 7. | Sara Thorne | Re: 2nd Quarter CRS Report |

Collins said that this speaks to the gap in rescue squad service. Collins, Mayor John Howe and others met with the Rescue Squad to try to identify the problem with coverage.

SUB-COMMITTEE REPORTS

1. Report by Councilman Weldon and Councilman Pitkin: Park & Recreation Committee.

Weldon reported that they are focusing on Park Day preparations. They'll be putting out a call for volunteers shortly.

2. Report by Supervisor Collins: Finance & Planning Committee.

Collins reported that they haven't met recently but he did apply for ARPA funding and we are eligible for up to about \$323,000.00 and also had to apply for a SAM.gov clearance from any past indiscretion on a municipal level. Now we'll look through our revenue loss and decide how to spend this and propose this to the Board.

3. Report by Councilman Weldon: Climate Smart/Action Task Force Committee.

Weldon reported that they are eligible for a \$5000.00 grant from NYSEDA for achieving the initial minimum enrollment for Solarize Chatham. The committee will be working on getting the Town to adopt the "Stretch Code" one year early (2022) so they will become eligible for a \$5,000.00 grant.

4. Report by Councilwoman Mesick: Communications Committee.

Mesick thanked Shaw for getting the newsletter together and said that the committee will have to work on distributing tasks move evenly.

5. Report by Councilwoman Mesick: Comprehensive Plan Update Review Committee.

Mesick reported that Michael Allen presented the first draft of the survey. They hope to get the survey out by the end of July but are considering a few additional questions on: marijuana dispensaries, do we want a community center and whether or not to allow alcohol sales in the Park. Mesick would like input from the Board on these within a week if possible. After some discussion the committee determined that they should not be in charge of tabulating the results of the survey and Michael Allen, Planner has agreed to do it.

6. Report by Councilman Pitkin: Broadband Committee

Pitkin reported that CEDC is the County's broadband coordinator and has retained MCFiberServices to physically go around the County to see who is and who is not connected. Pitkin shared the committees' information with them and they shared the map they developed using the results from the broadband survey. If anyone has questions or comments they can go to columbiacounty@mcfiberservices.com. Delgado pledged to advocate for broadband expansion in our rural communities. He has an on-line petition for anyone to sign to support this goal. We still hear that there's a lot of money coming to help with build out.

Collins said that at the last meeting he talked about the seven committees and boards that he's on. Some of the meetings are monthly and some are every other month so he'll go over what they've done

in the last month at the County.

1. DPW has a difficult time retaining employees.
2. Engineering is overseeing the Route 66 water/sewer line expansion. They recently lost Dean Knox who was a beautiful and brilliant guy. He was in-charge of a lot of engineering aspects in the County and they are looking now to replace him and possibly bolster the County engineering department.
3. Farmland Protection Board – they’ve seen the solar array and solarize applications
4. Columbia County Climate Smart – by people in Chatham signing up for solar it also helps the county reach their goal for in-order to get grant money. Looking at county inventory and possible electric vehicle fleets.
5. Occupancy Charge subcommittee hasn’t met but they are going to try to go ahead with the occupancy tax legislation (for short term rental). It did not pass at the State level so the County would like to pursue it.
6. Health and Human services is working on Sequential Intercept Model Mapping , which is the transition to treatment, where individuals with mental illness and/or drug dependency involved with law enforcement are identified and treated and not treated as criminals. . OFA is working on vaccinations for the elderly and in home vaccinations. We are still encouraging everyone to get vaccinated.
7. Finance committee released the 5 month sales tax report and it’s up 27%.

TOWN OF CHATHAM REPORT

Continuing to work on insurance reciprocal

1. Chatham Rescue – 2nd quarter report out.
2. Albany Turnpike there’s been a small delay due to a highway work permit that was not secured. DASNY (Dormitory Authority of NYS) is providing a local match. A misclassification of local requires a rewording of the grant application.
3. The Board approved using B&L for the Hartigan Rd. project.
4. Collins spoke to Lopez from CC 911 regarding the communications tower at the highway garage. CC full board voted to proceed now the Town has to decide.
5. ARPA
6. And office hours

REPORTS:

1. Assessor – no report
2. Code Enforcement/Building Inspector – on file
3. Dog Control – no action
4. Environmental Management Council – no report
5. Finance Department – no report
6. Highway Department – no report
7. Justice Court
8. Office of the Aging Advisory Board – no report
9. Recreation Director – on file
10. Supervisor’s Report – on file

11. Town Clerk – on file

NEW BUSINESS:

1. Trout Unlimited- Albany Turnpike Culvert SEAF – DEC is lead agency on this
2. Timber Harvest Permit – Mesick used Austerlitz’ timbering law as a model (which DEC has gone over thoroughly) and asked the Board to review it and comment prior to it going to the County.
3. Community Solar- Town Account Participation – David Levow asked why the Town doesn’t participate in this. Collins said that it had to follow procurement policy and get 2 more prices.
4. Columbia County 911 Cell Tower- Highway Garage Location – Weldon wants to encourage the towers construction for the safety of the residents.
Collins offered a **MOTION** to authorize the construction of a communications tower site at the highway garage. Weldon seconded and the motion carried.
5. Summerfest (CABA)/ Special Event Use Permit – document on file

OLD BUSINESS:

1. Exploratory Committee for Morris Memorial Proposal/Crellin Park
Collins wants to add another member to the committee from the Finance Committee. Wapner wants someone from the school district. The Town will have 4 and the Morris will have 4 members, it’s not a collegial thing to do Wapner stated. The discussion continued on the make-up of the committee. Pitkin drafted another motion on establishing a “Project Review Advisory Committee” which Mesick objected to. Due to the fact that it did not follow the protocol she and Wapner had drafted on establishing committees. Spirited discussion continued.....
Collins made a motion to rescind the motion from the July 1 meeting relating to the project review advisory committee. Mesick seconded. Collins and Mesick are in favor, Wapner and Weldon are opposed and Pitkin abstained.

Discussion continued on the Morris Proposal.

Wood asked if this was alienation of parkland and is replacement necessary, is it feasible, what will the proposed services cost. We would like to do this as quickly and inexpensively as possible.

Mesick asked if it was alienation. To which Rappleyea replied that there has to be a plan, it’s too amorphous at this point.

Wood stated that the presentation was not meant to be a proposal but an idea; a piece of the Park owned by the Morris with the building funded by a capital campaign.

Wapner feels this would be feasible if the Town had a recreation fee. These are questions for the Finance Committee. The Town would be doing the citizens a favor.

Tim Mackerer said that if it is alienation of parkland let’s talk about cost to the taxpayers and do you need a committee to determine if it is alienation. The Town shouldn’t be pressured to make a decision.

Mackerer asked Wood if the Morris was under pressure to which he responded “yes”. Wood doesn’t disagree with Mackerer, the Morris created a “loose proposal” and they want what’s most cost effective

for the Town and the tax payers. Morris Association needs assurance from the Town that they will have funding to keep things running.

Gabriella Sperry said that the Town needs to know what the Morris wants

Carol Moore said that the Morris wants to take title to the property and building which is considered alienation, Rappleyea agreed.

Rappleyea suggested that if we are to move forward we need a collegial partnership. This is a Town issue and the number of members on a committee is irrelevant. The Town should give the Committee direction and a goal.

A **MOTION** was made by Collins to rescind the July 1, 2021 motion establishing a “Project Review Advisory Committee”. Pitkin seconded and the motion carried.

MOTION

Pitkin moves that the Town Board establish a Project Review Advisory Committee in conjunction with the Morris Memorial Board to consider the feasibility of relocating the Morris Memorial facility to Crellin Park and partnering with the Town to provide a variety of recreation programs to the community. The exploratory establishing a “Project Review Advisory Committee” committee will:

1. Clarify the financial, community and management related issues related to relocation.
2. Consider each issue carefully to identify alternative ways to address concerns and determine the feasibility of alternative ideas and costs associated with various ideas.
3. Summarize its findings in regular reports to the Town Board and Morris Memorial Board.

The Committee will consist of 4 members from the Town of Chatham and 3 members from the Morris Memorial and three (one member each) from concerned parties, Town of Ghent, Chatham Central School District and the Village of Chatham.

The representatives from the Town Board will be the Supervisor,, one member of the Finance Committee and one other member to be voted on by the Town Board.

This is a Project Review Committee and as such there will be no votes or negotiations, other than for meeting process and organizational purposes. Further details of the administrative structure will be determined by the committee at an organizational meeting and approved by the Town Board. All meetings will be open to the public and will provide time for public comment. Mesick seconded and the motion carried.

Town members include Donal Collins, John Wapner, Judy Matthews and David Levow.

2. Pump Track Design – the Board has the design before them. Collins has no objection to this and thinks the Board should move with it. West said it would take time to get rolling but may be completed in the fall but wants to start right away.

MOTION Collins moves to adopt the Pump Track Design. Weldon seconded and the motion carried.

3. Peddler Permit/Fees – Rippel reported that she and CEO Kent Pratt met and made some relatively minor changes to the current peddlers permit law of 2015. Everyone has a copy as does Rappleyea. It's a one year permit; valid one year from the issue date and the permit fee is \$150.00 that can be changed by resolution. Rippel added that an affidavit would also be included in the permit application. The application is a bit different than the original in that it is more comprehensive.

Collins made a **MOTION** to send the amended town code for peddlers permit to the County Planning Board. Pitkin seconded and the motion carried.

4. Comprehensive Plan Update Review/Regrowth Planning Proposal ensuing survey (Pitkin) Mesick would like to ask if they could get the second half of Michael Allen's proposal ready to bring before the Board so they can continue their work. Allen said he would prefer to wait to see how the survey went and how the responses are. The proposal will be in accordance with what the responses are. Collins stated the Michael is doing a great job and hopes to maintain some continuity.

5. Marijuana Regulation and Taxation Act – Collins said we've covered that and there will be more information coming in. The link that Rappleyea is recommending is NYCOM (NY conference of Mayors) and they've reported on what's going on with this bill. Collins said that recreational adult use is now legal, we are not voting on that, we will be voting on whether or not to allow dispensaries (establishments) in Town .

PENDING DISCUSSIONS FOR WORKSHOP MEETING:

1. Crellin Park Master Plan Design
2. Solar Draft

RESOLUTIONS:

1. Resolution #133-21: To accept the Town Accountant's Financial Supervisor's Report.
Offered by Collins Seconded by Mesick

VOTE

AYE: Collins, Pitkin, Mesick, Wapner, Weldon NAY: None Resolution adopted

2. Resolution #134-21: To accept the Financial Abstract as presented to pay the Town bills.
Offered by Weldon Seconded by Mesick

VOTE

AYE: Collins, Pitkin, Mesick, Wapner, Weldon NAY: None Resolution adopted

3. Resolution #135-21: To approve Town Board Meeting minutes.
Resolution to approve the minutes of the Town Board Meetings for the following dates: June 3, 202 and June 10, 2021.
Offered by Weldon Seconded by Mesick

VOTE

AYE: Collins, Pitkin, Mesick, Wapner, Weldon NAY: None Resolution adopted

4. Resolution #136-21: To appoint part-time Clerk for Finance Department.

WHEREAS, the Clerk/Typist position for the Finance Department at (15) hours per week has become vacant during COVID-19 Pandemic and has resulted in the need to fill the position, and

THEREFORE BE IT RESOLVED, the Chatham Town Board appoints Jennifer Trolenberg, to the Finance Clerk position, (15) hours per week at \$15.30 per hour effective July 19, 2021.

Offered by Pitkin Seconded by Mesick

VOTE

AYE: Collins, Pitkin, Mesick, Wapner, Weldon NAY: None Resolution adopted

5. Resolution #137-21: To establish a new Tobacco-Free Zone at New Town Park.

The Town of Chatham hereby adopts the following resolution to establish tobacco-free zones at the New Town Park.

Definitions:

"Tobacco Products" means all manufactured products containing tobacco or nicotine, including cigarettes, cigars, pipe tobacco, chew, electronic cigarettes, all other vaping products and nicotine delivery systems and devices.

"Smoking" means inhaling, exhaling, burning, vaping, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco, nicotine, or plant product, including cannabis, intended for inhalation, in any manner or in any form.

WHEREAS, smoking is responsible for the premature deaths of over 450,000 Americans each year from lung cancer, heart disease, respiratory illness and other diseases; and

WHEREAS, children exposed to secondhand smoke are more likely to have reduced lung function and symptoms of respiratory irritation; and

WHEREAS, children with asthma who are exposed to secondhand smoke are especially at risk for having their condition worsened by secondhand smoke; and

WHEREAS, Secondhand smoke is responsible for over 50,000 deaths among nonsmokers each year; and

WHEREAS, 90% of smokers started smoking by or before the age of 18, and the average initiation age is 13 years old; and

WHEREAS, everyday an estimated 3,900 young people under the age of 18 try their first cigarette and one-third of these children will die prematurely from tobacco related illnesses; and

WHEREAS, e-cigarettes and vaping are designed to deliver nicotine, a highly addictive drug; and

WHEREAS, e-cigarettes and vaping are the most common nicotine products used by teens; over 27% of high school students in New York use some form of e-cigarette; and

WHEREAS, nicotine exposure causes changes in the developing brain that affect learning, attention, and susceptibility to other addictions; and

WHEREAS, to help role model non-smoking behavior to children and youth; to provide children, youth and their families with a safe, smoke-free environment;

THEREFORE, the Town of CHATHAM, COLUMBIA County, resolves:

That in Town Parks (or: playgrounds, ball fields, beaches, recreation areas) appropriate signage will be posted designating the parks tobacco-free, e-cigarette and cannabis free zones. The Town Clerk shall certify to the adoption of the resolution. This resolution will become effective on July 15, 2021.

Offered by Collins Seconded by Pitkin

VOTE

AYE: Collins, Pitkin, Mesick, Wapner, Weldon NAY: None Resolution adopted

6. Resolution #138-21: To approve funding for the Children's Garden Educator position.
Resolution funding for Educator position for Chatham Children's Garden

WHEREAS, registration fees for the Chatham Children's Garden and a donation from Chatham Area Recreation Program (CARP) will fund a Children's Garden Educator position for the Chatham Children's Garden, and

WHEREAS, the total number of hours to be funded for the Children's Garden Educator position in 2021 are 140 hours at \$20 per hour, equaling \$2,800, working no more than 19-hours per week, and

WHEREAS, the amount collected in the Chatham Children's Garden registration fees will be used toward the above payroll and CARP will then fund the balance needed for said payroll and for the Town's share of Social Security in the sum of \$215.00, and

NOW, THEREFORE, BE IT RESOLVED, CARP will fund the balance needed for all payroll and Town's share of Social Security for the position of Children's Garden Educator using the expenditure line of A7140.131 titled "Children's Garden - Educator" at the amount of \$2800 and using the Social Security expenditure line of A7140.830 at the amount of \$215.00, and

BE IT FURTHER RESOLVED, the balance donated from CARP will show in the revenue line A2705.4: Children's Garden-(CARP).

Offered by Weldon Seconded by Mesick

VOTE

AYE: Collins, Pitkin, Mesick, Wapner, Weldon NAY: None Resolution adopted

7. ~~Resolution #139-21: To declare T.O.C. Lead Agency of Albany Turnpike Culvert Project~~

8. ~~Resolution #140-21: To issue a Negative Declaration for SEQRA: Albany Turnpike Culvert~~

9. Resolution #139-21: To authorize a Special Event Use Permit for Summerfest.

To authorize use of jointly owned Municipal Parking Lot in the Village of Chatham by CABA for Summerfest.

WHEREAS, the Town of Chatham and the Village of Chatham own the municipal parking lot off Main Street in the Village of Chatham, and

WHEREAS, the Chatham Area Business & Arts (CABA) organization is hosting the annual Summerfest in the Village of Chatham and has made a request to block off a portion of the municipal parking lot property for music, entertainment, tent and stage on Saturday, August 14, 2021 from 7:00AM to 10:00PM for Summerfest, and

WHEREAS, no alcoholic beverages are being served or sold in the Municipal Parking Lot, and

WHEREAS, Chatham Area Business & Arts (CABA) has submitted a Special Event Use Permit, a Hold Harmless Agreement and a Certificate of Insurance to the Chatham Town Clerk, and

THEREFORE BE IT RESOLVED, the Chatham Town Board approves the blocking off of the municipal parking lot by CABA for music, entertainment, tent and stage for the annual Summerfest on Saturday, August 14, 2021 from 7:00AM to 10:00PM and where no alcoholic beverages will be served or sold.

Offered by Pitkin Seconded by Weldon

VOTE

AYE: Collins, Pitkin, Mesick, Wapner, Weldon NAY: None Resolution adopted

CONDUCT ANY OTHER BUSINESS THAT COMES BEFORE THE TOWN BOARD

1. Collins stated that Town Board meetings will take place at Crellin Park for the time being.

2. Farmers Market – A **MOTION** was made by Weldon to allow an alcohol vendor at the Farmers Market located at Crellin Park on Friday nights. Wapner seconded.

Wapner and Weldon are in favor, Collins feels that it is inappropriate and is opposed, Mesick and Pitkin are opposed. Motion did not carry.

3. Kelly Mackerer of PS 21 requested a letter of support from the Town for a grant application they will be submitting. Weldon will take care of this.

PUBLIC COMMENT

MOTION TO CLOSE MEETING

A motion was made by Collins and second by Weldon to adjourn at 9:07PM. Motion carried.

Respectfully submitted by,

Beth Anne Rippel, RMC

Town Clerk